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9
10 UNITED STATES DISTRICT COURT

11
12 NORTHERN DISTRICT OF CALIFORNIA

13 EMELIA M. PASTERNAK,

14 Plaintiff,

15 vs.

16 TRANS UNION, LLC, EXPERIAN
17 INFORMATION SOLUTIONS, INC.,
18 EQUIFAX INFORMATION SERVICES,
19 LLC, and CAPITAL ONE BANK, a
20 national association,

21 Defendants.

22) No.: CV 08-02972 CW

23) **NOTICE OF ERRATA TO**
24) **DEFENDANT CAPITAL ONE BANK**
25) **(USA), N.A.'S NOTICE OF MOTION**
26) **TO DISMISS PLAINTIFF'S**
27) **COMPLAINT**

28) Hearing Date: September 25, 2008
Hearing Date: September 25, 2008
Time: 2:00 p.m.
Courtroom: 2

Compl. Filed: June 16, 2008

Honorable Claudia Wilken

Defendant Capital One Bank (USA) N.A.’s (“Capital One”) respectfully submits this Notice of Errata. Capital One’s Notice of Motion to Dismiss Plaintiff’s Complaint, filed on August 19, 2008, incorrectly noticed the hearing for the Motion to Dismiss as taking place at 450 Golden Gate Ave., Courtroom 2, San Francisco, CA 94102. The correct address for the Court where the hearing will take place is 1301 Clay St., Ste. 400S, Courtroom 2, Oakland, CA 94612-5212. Capital One has filed concurrently with this Notice of Errata an Amended Notice of Motion to Dismiss. Accordingly, Capital One hereby augments / replaces the original Notice of Motion to Dismiss with its Amended Notice of Motion to Dismiss.

DATED: August 22, 2008.

REED SMITH LLP

By /s/ Veronica Kuiumdjian
Abraham J. Colman
Felicia Y. Yu
Veronica Kuiumdjian
Attorneys for Defendant
Capital One Bank (USA), N.A.

PROOF OF SERVICE

I am a resident of the State of California, over the age of eighteen years, and not a party to the within action. My business address is REED SMITH LLP, 355 South Grand Avenue, Suite 2900, Los Angeles, CA 90071-1514. On August 22, 2008, I served the following document(s) by the method indicated below:

**NOTICE OF ERRATA TO DEFENDANT CAPITAL ONE BANK (USA),
N.A.'S NOTICE OF MOTION TO DISMISS PLAINTIFF'S COMPLAINT**

- On the recipients designated on the Transaction Receipt located on the CM/ECF website.
 - FEDERAL:** I declare that I am a member of the bar of this court at whose direction the service was made.

SEE ATTACHED SERVICE LIST

I declare under penalty of perjury under the laws of the State of California that the above is true and correct. Executed on August 22, 2008, at Los Angeles, California.

/s/ Veronica Kuiumdjian
Veronica Kuiumdjian

Service List

Pasternak v. Trans Union, LLC, et al.
USDC, Case No.: CV 07-04980 CW

<p>Andrew Jones Ogilvie Kemnitzer Anderson Barron Ogilvie & Brewer, LLP 445 Bush Street, Sixth Floor San Francisco, CA 94108 Tel: (415) 861-2265 Fax: (415) 861-3151 Email: ajogil@kabolaw.com</p>	<p><i>Attorneys for Plaintiff</i> Emelia M. Pasternak</p>
<p>Robert S. Sola Attorney-at-Law 8835 SW Canyon Lane Suite 130 Portland, OR 97225 Tel: (503) 295-6880 Fax: (503) 291-9172 Email: rssola@msn.com</p>	<p><i>Attorneys for Plaintiff</i> Emelia M. Pasternak <i>Admitted Pro Hac Vice</i></p>
<p>Donald E. Bradley Musick Peeler & Garrett LLP 650 Town Center Drive Suite 1200 Costa Mesa, CA 92626 Tel: 714-668-2400 Fax: 714-668-2490 Email: d.bradley@mpglaw.com</p>	<p><i>Attorneys for Defendant</i> Trans Union LLC</p>
<p>Thomas P. Quinn Nokes & Quinn 450 Ocean Avenue Laguna Beach, CA 92651 Tel: 949-376-3055 Fax: 949-376-3070 Email: yhoman@nokesquinn.com</p>	<p><i>Attorneys for Defendant</i> Equifax Information Services LLC</p>
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Pasternak v. Trans Union, LLC, et al.
USDC, Case No.: CV 07-04980 CW

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